

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN KEITH HARVEY,

Petitioner,

Case No. 1:04-cv-35

v

Hon. Wendell A. Miles

CURT JONES, Warden,

Respondent.

ORDER ON PETITIONER'S MOTION FOR RECONSIDERATION
OF ORDER DENYING RELEASE ON BOND

This is a habeas corpus action brought by a Michigan prisoner pursuant to 28 U.S.C. § 2254.¹ The matter came before the court on petitioner's "Petition for Appeals Bond," which was denied. Petitioner has now filed an untitled document (docket no. 51) disagreeing with the court's decision denying his motion for an order requiring his release from custody pending a decision on his petition. The court construes petitioner's filing as a motion for reconsideration.

W.D. Mich. L.Civ.R. 7.4(a) provides that a movant seeking reconsideration "shall not only demonstrate a palpable defect by which the Court and the parties have been misled, but also

¹When petitioner filed his habeas petition, he was incarcerated at Michigan's Carson City Correctional Facility, where, he alleged, Curt Jones was his warden. However, petitioner currently is confined at Ojibway Correctional Facility.

show that a different disposition of the case must result from a correction thereof.” Petitioner’s current filing merely repeats arguments he has already made. Therefore,

The motion for reconsideration is **DENIED**.

So ordered this 22nd day of July, 2008.

/s/ Wendell A. Miles
Wendell A. Miles, Senior Judge